

AGENDA
MORGAN COUNTY BOARD OF COUNTY COMMISSIONERS
Assembly Room, Administration Building
231 Ensign Street, Fort Morgan, CO 80701
Tuesday, September 6, 2022

To watch and/or listen to the meeting but not participate, you may do so by connecting via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/86893412982> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 868 9341 2982

To participate in the Citizen's Comment Period you must connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/86893412982> If you cannot connect via Zoom, you may submit written public comment to morgancountybcc@co.morgan.co.us by email by 8 a.m. on Tuesday September 6, 2022.

To participate in Public Hearings you may connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/86893412982> to listen via phone, please dial: 1-312-626-6799, Meeting ID: 868 9341 2982

9:00 A.M.

A. WELCOME – CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL:

Commissioner Becker

Commissioner Westhoff

Commissioner Arndt

B. CITIZEN'S COMMENT PERIOD

Citizens are invited to speak to the Commissioners on agenda or non-agenda items. There is a 3 minute time limit per person, unless otherwise noted by the Chairman. Please note that no formal action will be taken on these items during this time due to the open meeting law provision; however, they may be placed on future posted agenda if action is required.

C. CONSENT AGENDA

All matters under the consent agenda are considered to be routine by the Board of County Commissioners and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, any Board member may ask that the item be removed from the Consent Agenda and considered separately:

1. Ratify the Board of County Commissioners approval of meeting minutes August 16, 2022.
2. Ratify the Board of County Commissioners approval of Contract 2022 CNT 094 Next Day Access, Term of Contract August 23, 2022 through completion
3. Ratify the Board of County Commissioners approval of Contract 2022 CNT 095, Michelle Covelli., Term of Contract August 1, 2022 through completion

*Any meeting or event scheduled to be held at the Commissioners' Offices (218 West Kiowa Avenue, Fort Morgan, CO) will be relocated to a site with handicapped access upon request. For special assistance for the Morgan County Board of Commissioners meeting, please notify us at least 48 hours before the scheduled agenda item. Please call (970)542-3500, extension 1410, to request accommodations for any of the two locations.

PREPARED BY: Karla Powell, Administrative Services Manager
AGENDA POSTED ON Friday September 2, 2022 @ 4:00 P.M.

4. Ratify the Board of County Commissioners approval on Fairgrounds Fee Waiver Request, A Colorado FFA – event date September 21, 2022, signed August 11, 2022
5. Ratify the Board of County Commissioners approval on Fairgrounds Fee Waiver Request, Colorado FFA – event date December 7, signed August 11, 2022
6. Ratify Chairman Jon Becker’s signature on the Morgan County Veterans Service Monthly Report for August 2022 signed September 6, 2022.
7. Ratify Chairman Jon Becker’s signature on Morgan County Warrant Approval for month of August 2022, signed September 6, 2022
8. Ratify the Board of County Commissioners approval on assignment of debt collections to Wakefield and Associates, Client #220774, #220840, #220872, #221115, #220728B, #220770, #220596, #220476, #220648A, #220317, #220320, #221031, #212723A, #212973, #220478, #220602, #220700, #220874, #220636, 3220687, #220979, #220735, #220582B, #220714, #220940A, #220798, #220789A, #220664, #220579, #221009, #220674B, #220593, #220261, #221184, #220539A

D. UNFINISHED BUSINESS

E. GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

1. Consideration of Approval – **Bid Tabulation and Award** RFP 2022-0811-001 Phase 2 Geo-Synthetic Lining (Solid Waste Director, Cass Yearous)

F. COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

1. Commissioners Calendar for week of September 2, 2022, through September 13, 2022

G. PUBLIC HEARING

Applicant: Cary Kudron

Landowner: Kudron Construction, LLC

Legal Description Lots 4, 5, 6, 7, 8, and 9, Railroad Minor Subdivision and a tract of land described in Book 1076 at Page 262 of the Morgan County records in the NE¼ of Section 31, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado. Addressed as 18216 Co Rd T, Fort Morgan, Colorado 80701.

Request: A Replat to increase Lots 4, 5, 6, 7, 8, and 9 of Railroad Minor Subdivision to include the tract of land described in Book 1076 at Page 262 which was part of the former Union Pacific railroad right of way.

Open for Public Comment

Close for Public Comment

Discussion and Decision

H. ADJOURNMENT

*Any meeting or event scheduled to be held at the Commissioners’ Offices (218 West Kiowa Avenue, Fort Morgan, CO) will be relocated to a site with handicapped access upon request. For special assistance for the Morgan County Board of Commissioners meeting, please notify us at least 48 hours before the scheduled agenda item. Please call (970)542-3500, extension 1410, to request accommodations for any of the two locations.

PREPARED BY: Karla Powell, Administrative Services Manager
AGENDA POSTED ON Friday September 2, 2022 @ 4:00 P.M.

RFP 2022-0811-001

Phase 2 Geosynthetic Lining Bid Summary

Phase 2				#1 Erosion Control Applications		#2 Raven CLI Construction, Inc.		#3 Geo-Synthetic Systems LLC	
Task No.	Bid Item	Units	Quantity	Unit Rate	Extended Price	Unit Rate	Extended Price	Unit Rate	Extended Price
100	Performance Bond	LS	LS	\$10,150.00	\$10,150.00	\$9,309.64	\$9,309.64	\$10,029.00	\$10,029.00
200	Mobilization/Demobilization/Bond	LS	LS	\$8,800.000	\$8,800.00	\$4,600.00	\$4,600.00	\$14,346.000	\$14,346.00
300	GCL liner/procure/install/test	SF	272,938	\$0.700	\$191,056.60	\$0.81	\$221,079.78	\$0.61680	\$168,348.16
400	HDPE liner/procure/install/test	SF	272,938	\$0.940	\$256,561.72	\$0.82	\$223,809.16	\$0.75500	\$206,068.19
500	Geocomposite/procure/install/test	SF	219,428	\$0.80	\$175,542.40	\$0.78	\$171,153.84	\$0.83870	\$184,034.26
	Taxes on materials only-labor (install) not taxed			Excluded				Excluded	
TOTAL BID PRICE (incl. bond)					\$642,110.72		\$629,952.42		\$582,825.61
TOTAL BID PRICE with Colorade Company 5% Discount					\$642,110.72		\$598,454.80		\$582,825.61

Qualifications/Exceptions		Install duration to be 20 "good weather" work days minimum. They will not expose, the liner tie-in or prep subgrade - OK They will not broom clean the existing geosynthetics at tie-in locations		Install duration to be +/- 20 good weather on-site working days		Price includes 2 weather days. Additional days between October 15 and April 15 charged at standby rate. Require written 2-week notice prior to mobilization No GCL or Geocomposite as-built drawings Finalization of material costs at time of order-could affect award	
Proposed Materials Product Data Sheets Review		Solmax HDPE 60 mils Black Textured Meets all project specs		Hydraline HD60BG Textured Meets all project specs, but the included PDS does not include Oven Aging or UV Resistance specs which are required by the CQA Plan. This is the same material we used last time and those tests were performed by the manufacturer and did meet specs.		SKAPS HD-60T2 AVG-meets all specifications except Meets all project specs, but the included PDS does not include Oven Aging or UV Resistance specs which are required by the CQA Plan. However, PDS does state that the material meets the requirements of GRI GM13, so it will meet our Oven Aging and UV Resistance specs.	
GEOCOMPOSITE		SKAPS TRANSNET w/TN 250-2-6 Not acceptable. Geotextile is 6oz, but specs call for min 8oz.		SKAPS TRANSNET w/TN 250-2-8 Meets all project specs		SKAPS TRANSNET w/TN 250-2-8 Meets all project specs	
GCL		Solmax Bentoliner 0.75 lbs/ft ³ , NS, Peel 35 Meets all project specs		Bentomat ST Meets all project specs. Tensil Strength test frequency is lower than project specs, but do meet GCL3 specs.		Solmax Bentoliner 0.75 lbs/ft ³ , NS, Peel 35 Meets all project specs	
Terms and Conditions Issues							
Signed SCOPE/SCHEDULE/BID FORMS Sheet		Yes		Yes		Yes	
ATTACHMENT 1 TO BID FORM-Qualification/Exceptions		Yes		Yes		Yes - References attached GSI contract	
Proposed Schedule		Yes		Yes		Yes	
Waiver from C.R.S. 8-17-101 regarding crew residing in CO		Yes		Yes		Yes	
Equipment list		NO		Yes		Yes	
Loaded Operator and Equipment Rates		Yes		Yes		Yes	
Project Superintendent		Yes		Yes		Yes	
Insurance Certification		Yes		Yes		Yes	
Evidence of Ability to Bond		Yes		Yes		Yes	
Proposed Product Data Sheets (PDS)		Yes		Yes		Yes	
Other							
Standby Rate?		Provided a daily crew rate based on personnel need clarification-could be clarified if win bid		T&M Rates \$2200 for 1-man, up to \$6000 for 5-man crew with their equipment.		None stated-could be clarified if win bid	
Equipment		Equipment list & daily rate sheet provided for several pieces of equipment and vehicle types.		Telehandler Forklift 10k Lbs (1), Track Bobcat (1)		Skid Steer (1), Extended reach fork lift (1)	
Schedule		20 Good weather working days		20 Good weather working days		14 Good weather working days-10 hr/day 6 days/wk	

SUMMARY AND RECOMMENDATIONS

Company

Pluses

Minuses

#3 Geo-Synthetic Systems LLC
Second Lowest Bid14-Day install schedule - fastest proposed
All proposed materials meet specifications
Includes 2 bad-weather days
Provided detailed proposal, and all terms appear to match the RFP and our expectations.No explicit stand-by rate. Should clarify if winning bid.
Will not provide as-built drawings for GCL or Geocomposite. AEC can do this during CQA.

#2 Raven CLI Construction, Inc. Third Lowest Bid	Local Colorado firm located in Parker All proposed materials meet specifications No Qualifications/exceptions T&M rate for 5-man crew and their equipment is \$6000 per day	20-Day install schedule They were the Phase 1 synthetics contractor, and there were several problems getting the correct materials on site.
#1 Erosion Control Applications Highest Bid	Have numerous office throughout Colorado. Not sure if project will be run out of a local office-they provide a wide range of services	20-Day install schedule Highest Bid No explicit stand-by rate. Will not broom clean tie-in zone Proposed geocomposite does not meet project specs. No proposed equipment List
#4 Patriot Environmental Third Lowest Bid		No Product Data Sheets - Did not Review
# 5 Mustang ExtremeEnvironmental Services Lowest Bid		No Geocomposite Product Data Sheets - Did not Review
Assuming Morgan County does not wish to request Product Data Sheets from Mustang Environmental (#5) and Patriot Environmental (#4), AEC recommends Morgan County prioritize consideration of Geo-Synthetic		

RFP 2022-0811-001

Phase 2 Geosynthetic Lining Bid Summary

Phase 2				#1 Erosion Control Applications	
				Extended	
Task No.	Bid Item	Units	Quantity	Unit Rate	Price
100	Performance Bond	LS	LS	\$10,150.00	\$10,150.00
200	Mobilization/Demobilization/Bond	LS	LS	\$8,800.000	\$8,800.00
300	GCL liner/procure/install/test	SF	272,938	\$0.700	\$191,056.60
400	HDPE liner/procure/install/test	SF	272,938	\$0.940	\$256,561.72
500	Geocomposite/procure/install/test	SF	219,428	\$0.80	\$175,542.40
	Taxes on materials only-labor (install) not taxed			Excluded	
TOTAL BID PRICE (incl. bond)					\$642,110.72
TOTAL BID PRICE with Colorade Company 5% Discount					\$642,110.72
Qualifications/Exceptions					
				Install duration to be 20 "good weather" work days minimum. They will not expose, the liner tie-in or prep subgrade - OK They will not broom clean the existing geosynthetics at tie-in locations - OK	
Proposed Materials Product Data Sheets Review					
HDPE				Solmax HDPE 60 mils Black Textured Meets all project specs	
GEOCOMPOSITE				SKAPS TRANSNET w/TN 250-2-6 Not acceptable. Geotextile is 6oz, but specs call for min 8oz.	
GCL				Solmax Bentoliner 0.75 lbs/ft3, NS, Peel 35 Meets all project specs	
Terms and Conditions Issues					
Signed SCOPE/SCHEDULE/BID FORMS Sheet				Yes	
ATTACHMENT 1 TO BID FORM-Qualification/Exceptions				Yes	
Proposed Schedule				Yes	
Waiver from C.R.S. 8-17-101 regarding crew residing in CO				Yes	
Equipment list				NO	
Loaded Operator and Equipment Rates				Yes	
Project Superintendant				Yes	
Insurance Certification				Yes	
Evidence of Ability to Bond				Yes	
Proposed Product Data Sheets (PDS)				Yes	
Other					
Standby Rate?				Provided a daily crew rate based on personnel need clarification-could be clarified if win bid	
Equipment				Equipment list & daily rate sheet provided for several pieces of equipment and vehicle types.	
Schedule				20 Good weather working days	

RFP 2022-0811-001

Phase 2 Geosynthetic Lining Bid Summary

Phase 2				#2 Raven CLI Construction, Inc.	
				Extended	
Task No.	Bid Item	Units	Quantity	Unit Rate	Price
100	Performance Bond	LS	LS	\$9,309.64	\$9,309.64
200	Mobilization/Demobilization/Bond	LS	LS	\$4,600.00	\$4,600.00
300	GCL liner/procure/install/test	SF	272,938	\$0.81	\$221,079.78
400	HDPE liner/procure/install/test	SF	272,938	\$0.82	\$223,809.16
500	Geocomposite/procure/install/test	SF	219,428	\$0.78	\$171,153.84
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HDPE				Hydraline HD60BG Textured Meets all project specs, but the included PDS does not include Oven Aging or UV Resistance specs which are required by the CQA Plan. This is the same material we used last time and those tests were performed by the manufacturer and did not meet specs.	
GEOCOMPOSITE				SKAPS TRANSNET w/TN 250-2-8 Meets all project specs	
GCL				Bentomat ST Meets all project specs. Tensil Strength test frequency is lower than project specs, but do meet GCL3 specs.	
Terms and Conditions Issues					
Signed SCOPE/SCHEDULE/BID FORMS Sheet				Yes	
ATTACHMENT 1 TO BID FORM-Qualification/Exceptions				Yes	
Proposed Schedule				Yes	
Waiver from C.R.S. 8-17-101 regarding crew residing in CO				Yes	
Equipment list				Yes	
Loaded Operator and Equipment Rates				Yes	
Project Superintendant				Yes	
Insurance Certification				Yes	
Evidence of Ability to Bond				Yes	
Proposed Product Data Sheets (PDS)				Yes	
Other					
Standby Rate?				T&M Rates \$2200 for 1-man, up to \$6000 for 5-man crew with their equipment.	
Equipment				Telehandler Forklift 10k Lbs (1), Track Bobcat (1)	
Schedule				20 Good weather working days	

Phase 2 Geosynthetic Lining Bid Summary

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Task No.	Bid Item	Units	Quantity	Unit Rate	Price
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TOTAL BID PRICE with Colorade Company 5% Discount					\$582,825.61
Qualifications/Exceptions					
		Price includes 2 weather days. Additional days between October 15 and April 15 charged at standby rate.			
		Require written 2-week notice prior to mobilization			
		No GCL or Geocomposite as-built drawings			
		Finaliziazation of material costs at time of order-could affect award			
Proposed Materials Product Data Sheets Review					
HDPE		SKAPS HD-60T2 AVG-meets all specifications except Meets all project specs, but the included PDS does not include Oven Aging or UV Resistance specs which are required by the CQA Plan. However, PDS does state that the material meets the requirements of GRI GM13, so it will meet our Oven Aging and UV			
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Proposed Product Data Sheets (PDS)		Yes			
Other					
Standby Rate?		None stated-could be clarified if win bid			
Equipment		Skid Steer (1), Extended reach fork lift (1)			
Schedule		14 Good weather working days-10 hr/day 6 days/wk			

SUMMARY AND RECOMMENDATIONS

Company	Pluses	Minuses
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Assuming Morgan County does not wish to request Product Data Sheets from Mustang Environmental (#5) and Patriot Environmental (#4), AEC recommends Morgan County prioritize consideration of Geo-Synthetic Systems (#3) and Raven CLI Construction (#2).

COMMISSIONERS CALENDAR

September 2, 2022 through September 13, 2022

September 2, 2022		Daily County Business
September 5, 2022		Morgan County Offices Closed in Observation of Labor Day
September 6, 2022	9:00 a.m. Hearing Immediately following BoCC Meeting 10:00 a.m.	Board of County Commissioners Meeting (Assembly Room) (Please check https://morgancounty.colorado.gov/ for meeting options.) Planning & Zoning Hearing - Kudron Replatt Department Budget Meetings
September 7, 2022		Department Budget Meetings
September 8, 2022		Department Budget Meetings
September 9, 2022		Department Budget Meetings
September 12, 2022	10:00 a.m. 11:00 a.m. 12:00 p.m. 1:00 p.m. 2:00 p.m.	Regional Opioid Council Meeting (Westhoff) Office Meeting Human Resources Department Meeting Communications Department Meeting Department Budget Meeting
September 13, 2022	10:00 a.m. 1:00 p.m. 2:00 p.m.	County Attorney Office Hours 911 Authority Board/Com Board (Becker) Department Budget Meeting

Unless otherwise noted, all meetings with department heads and other non-BOCC elected officials listed above may include an update on the status of the department, a general discussion of projects, any matters or concerns that the County needs to address, and activities and operations of the department.

Department meetings may be by conference call or virtual meeting upon request.

CALENDAR SUBJECT TO CHANGE DUE TO AGREEABLE CANCELLATIONS AND/OR WALK IN BUSINESS

Posted 09/02/2022 @ 4:00 P.M. by Karla Powell, Administrative Services Manager

** All meetings are held in the Commissioner's Office located at 218 West Kiowa Avenue, Fort Morgan unless otherwise noted

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KUDRON

Re Plat

Board of County Commissioners Hearing

September 6th, 2022

9:00 A.M.

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 - File Summary
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- Site Plan/Maps
- Proof of Ownership
- Utilities & Access
 - Water- *Tap*
 - Sewer- *Will Serve*
 - CDOT or Road & Bridge
 - other utilities or access documentation
- Referrals & Responses
 - Referrals sent and responses received
 - Landowner Letter sent and any responses received
 - BCC Notification responses received
- Technical
 - Right to Farm
 - Application Fee Receipt

BCC

BCC Agenda

BCC File Summary



**MORGAN COUNTY
PLANNING AND BUILDING DEPARTMENT**

August 30, 2022

TO: Board of County Commissioners - Hearing
DATE: **TUESDAY, September 6, 2022**
TIME: **9:00 AM**
PLACE: Assembly Room – B Level
Morgan County Administration Building
231 Ensign, Fort Morgan, CO

AGENDA

NEW BUSINESS:

Applicant: Cary Kudron
Landowner: Kudron Construction, LLC

Legal Description Lots 4, 5, 6, 7, 8, and 9, Railroad Minor Subdivision and a tract of land described in Book 1076 at Page 262 of the Morgan County records in the NE¼ of Section 31, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado. Addressed as 18216 Co Rd T, Fort Morgan, Colorado 80701.

Request: A Replat to increase Lots 4, 5, 6, 7, 8, and 9 of Railroad Minor Subdivision to include the tract of land described in Book 1076 at Page 262 which was part of the former Union Pacific railroad right of way.

OTHER MATTERS:

ADJOURN:



**MORGAN COUNTY
PLANNING AND BUILDING DEPARTMENT**

**BOARD OF COUNTY COMMISSIONERS
FILE SUMMARY**

August 30, 2022

September 6, 2022 hearing date

APPLICANTS AND LANDOWNERS:

Cary Kudron

Kudron Construction, LLC

This application is to replat Lots 4, 5, 6, 7, 8, and 9 of Railroad Minor Subdivision and a tract of land described in Book 1076 at Page 262 of the Morgan County records in the NE¼ of Section 31, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado. Addressed as 18216 Co Rd T, Fort Morgan, Colorado 80701.

The applicants and landowners are requesting a replat to extend the lot lines to the south line of a parcel of land described in book 1076 at Page 262, said line is the south right of way line of the former Union Pacific Railroad.

Subdivision	Property Owner	Existing Acres	Results
Lot 4, Railroad Minor Subdivision	Kudron Construction, LLC	1.00	1.94 Acres
Lot 5, Railroad Minor Subdivision	Kudron Construction, LLC	1.00	1.45 Acres
Lot 6, Railroad Minor Subdivision	Kudron Construction, LLC	1.33	2.38 Acres
Lot 7, Railroad Minor Subdivision	Kudron Construction, LLC	1.00	1.71 Acres
Lot 8, Railroad Minor Subdivision	Kudron Construction, LLC	1.06	1.66 Acres
Lot 9, Railroad Minor Subdivision	Kudron Construction, LLC	1.58	2.25 Acres

The property is zoned Agricultural/Ag-Business District and the only current improvement is on Lot 7, a metal shop building.

In reviewing an application for a Replat to add property to a previously approved subdivision the Board of County Commissioners shall apply the following criteria as listed from Section 10-400(G) of the Morgan County Subdivision Regulations:

- (1) The replat complies with these standards and regulations and the original conditions of approval.
- (2) Nonconforming lots are not created, and in the case of nonconforming lots, the nonconformity is not increased.
- (3) The replat is in keeping with the purpose and intent of these Subdivision Regulations.

- (4) Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with these Subdivision Regulations.
- (5) The approval will not adversely affect the public health, safety, and welfare.

All appropriate notice requirements have been completed with no comments received as of August 30, 2022. Eight property owners within the subdivision were notified of the application; comments have not been received either in support or opposed.

Nicole Hay
Morgan County Planning Administrator

NOTIFICATION

BCC Newspaper Affidavit

NOTICE OF MORGAN COUNTY BOARD OF COUNTY COMMISSIONERS PUBLIC HEARING TO REVIEW A LAND APPLICATION

Notice is hereby given that on Tuesday, September 6, 2022 at 9:00 a.m., or as soon as possible thereafter, in the Hearing Room of the Morgan County Commissioners in Fort Morgan, Colorado, or at such other time and place as this hearing may be adjourned, a public hearing will be held upon an application on file with the Morgan County Planning Administrator, 231 Ensign Street, Fort Morgan, Colorado, (970) 542-3526:

Applicant: Cary Kudron

Landowner: Kudron Construction, LLC

Legal Description: Lots 4, 5, 6, 7, 8, and 9, Railroad Minor Subdivision and a tract of land described in Book 1076 at Page 262 of the Morgan County records in the NE¼ of Section 31, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado. Addressed as 18216 Co Rd T, Fort Morgan, Colorado 80701.

Request: Replat to increase Lots 4, 5, 6, 7, 8, and 9 of Railroad Minor Subdivision to include the tract of land described in Book 1076 at Page 262 which was part of the former Union Pacific railroad right of way.

Date of Application: July 28, 2022

Published in Fort Morgan Times on August 20, 2022.

THE COUNTY WILL CONTINUE TO OFFER THE OPTION TO ATTEND MEETINGS REMOTELY VIA ZOOM. IF YOU HAVE ANY QUESTIONS REGARDING ATTENDING THE MEETING, PLEASE CONTACT THE PLANNING OFFICES AT 970-542-3526.

To participate remotely you may connect via Zoom at: <https://us02web.zoom.us/j/86893412982>

Or Telephone:

Dial: US: +1 669 444 9171

Webinar ID: 868 9341 2982

The application and all materials are available for inspection at the Planning Administrator's Office, 231 Ensign Street, basement, Fort Morgan, Colorado, during regular office hours. At the time of hearing, opportunity will be given for the presentation of evidence in support of or in opposition to the application.

Nicole Hay, Morgan County Planning Administrator
Published: Fort Morgan Times August 20, 2022-1913742

Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Morgan
State of Colorado

The undersigned, Agent, being first duly sworn under oath, states and affirms as follows:

1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Fort Morgan Times*.
2. The *Fort Morgan Times* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Morgan County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Fort Morgan Times* in Morgan County on the following date(s):

Aug 20, 2022

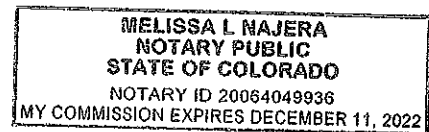

Signature

Subscribed and sworn to me before me this

22nd day of August, 2022


Notary Public

(SEAL)



Account: 1052763
Ad Number: 1913742
Fee: \$36.80

**NOTICE OF MORGAN COUNTY BOARD OF COUNTY COMMISSIONERS PUBLIC
HEARING TO REVIEW A LAND APPLICATION**

Notice is hereby given that on Tuesday, September 6, 2022 at 9:00 a.m., or as soon as possible thereafter, in the Hearing Room of the Morgan County Commissioners in Fort Morgan, Colorado, or at such other time and place as this hearing may be adjourned, a public hearing will be held upon an application on file with the Morgan County Planning Administrator, 231 Ensign Street, Fort Morgan, Colorado, (970) 542-3526:

Applicant: Cary Kudron

Landowner: Kudron Construction, LLC

Legal Description: Lots 4, 5, 6, 7, 8, and 9, Railroad Minor Subdivision and a tract of land described in Book 1076 at Page 262 of the Morgan County records in the NE¼ of Section 31, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado. Addressed as 18216 Co Rd T, Fort Morgan, Colorado 80701.

Request: Replat to increase Lots 4, 5, 6, 7, 8, and 9 of Railroad Minor Subdivision to include the tract of land described in Book 1076 at Page 262 which was part of the former Union Pacific railroad right of way.

Date of Application: July 28, 2022

Published in Fort Morgan Times on August 20, 2022.

THE COUNTY WILL CONTINUE TO OFFER THE OPTION TO ATTEND MEETINGS REMOTELY VIA ZOOM. IF YOU HAVE ANY QUESTIONS REGARDING ATTENDING THE MEETING, PLEASE CONTACT THE PLANNING OFFICES AT 970-542-3526.

To participate remotely you may connect via Zoom at:

<https://us02web.zoom.us/j/86893412982>

Or Telephone:

Dial:

US: +1 669 444 9171

Webinar ID: 868 9341 2982

The application and all materials are available for inspection at the Planning Administrator's Office, 231 Ensign Street, basement, Fort Morgan, Colorado, during regular office hours. At the time of hearing, opportunity will be given for the presentation of evidence in support of or in opposition to the application

Nicole Hay, Morgan County Planning Administrator

ORIGINAL SUBMITTAL

Original Application Received



MORGAN COUNTY PLANNING,
ZONING & BUILDING DEPT.

231 Ensign, P.O. Box 596
Fort Morgan, Colorado 80701
PHONE (970)542-3526
FAX (970)542-3509

EMAIL permits_licensing@co.morgan.co.us

PERMIT # RPL2022-0002

Date Received 7/28/22 Received By JB
Fee: ☒ Administrative Review \$550 ☒ Full Review \$
Ck/CC #: 7958 Paid 7/28/22
Recording Fee \$ Ck/CC #: Paid / /
PC Date: / / BOCC Date: / / 100
Year Floodplain? ☒ Y / ☐ N Taxes Current? ☒ Y / ☐ N

BOUNDARY LINE ADJUSTMENT, AMENDED PLAT, REPLAT, AND PLAT VACATIONS APPLICATION

Landowner MUST Sign Application and Right to Farm Policy

APPLICANT

Name Cary Kudron
Address 7 Yates Ter
Phone (970) 518 4395
Email cbkudron@gmail.com

LANDOWNER

Name Same
Address 18216 CRT
Fort Morgan 80701
Phone () Same
Email

SURVEYOR

Name Bob Thomas Email bob@thomask.com
Address P.O. Box 337004 Greeley, CO Phone (970) 222-3311

Minimum Lot Size Requirements:

- Minimum lot size for parcels containing both a water well and septic system is 2.5 (two and one half) acres
- Minimum lot size for parcels without a water well and served by a public or private water system and septic system is 1 (one) acre

PROPERTY LEGAL DESCRIPTION AND TECHNICAL INFORMATION

Address of Property to be divided (or general location if not yet addressed): *Attach extra pages if needed

18216 CRT Fort Morgan, CO 80701
Railroad Minor Sub Lots 4-10

Parcel #: 1039 - 310 - 01 - 003

Zone District: A/B

S: 31 T: 4 R: 57 1/2 1/4 NE 1/4

Replat of 6 Lots

Total acreage in parcel: 12.657

Number of lots to be created: 6

Is property located within 1320' (1/4) of a livestock confinement facility? ☒ Y / ☐ N

Distance and Direction to Nearest Community:

PRESENT use of property Construction Operation

PROPOSED use of property Same

SEE REQUIRED ATTACHMENT LIST ON BACK OF THIS PAGE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED OR PROCESSED

APPLICATION REQUIRED ATTACHMENT LIST

Additional information may be required by staff

Application Fee:

☐ \$550 Non-Refundable Application Fee due with application

-Made payable to Morgan County Planning & Zoning

**Fees may be subject to change per section 2-160 of Morgan County Zoning Regulations*

Project Narrative:

☒ Narrative to include:

☒ Project Description

☒ Purpose of request

☒ Additional information to show project's intent

☒ How project will relate to or impact existing adjacent uses

☒ General topography of land and potential hazards

☒ If property is in the floodplain, give Zone, panel number, and panel date -*See link*

<https://msc.fema.gov/portal/home>

Site Plans/Maps:

☒ Plat map (survey) per requirements set forth in the Morgan County Subdivision Regulations Section 6-170-- **(SUBMIT ELECTRONICALLY)**

☐ Improvement location certificate, including setbacks of existing structures, wells and septic system **(SUBMIT ELECTRONICALLY)**

☐ Include any **easements** required for the project-widths and other pertinent information.
May be required to supply copies of easement agreements

Proof of Ownership:

☒ **Current** title insurance commitment (within last ~~30 days~~ *6 months*)

☒ Names, addresses and phone numbers for all property owners

Utilities/Access:

☒ **Water**-must prove quality, quantity, & reliability of well, or Quality Water Contract (Quality Water Contracts or current Permits from Colorado Department of Natural Resources) <https://dwr.state.co.us/Tools/WellPermits>

Tap Info

- o Existing or proposed public or private water system-**Contract for Service or bill**
- o Existing Well- Provide copy of driller's well completion report and proof of adjudication and water quality report
- o Proposed Well- Provide documented proof of quality and quantity and of potable water
- o Water Supply Information Summary as required by State of Colorado, Office of the State Engineer (*attached*)

☒ **Septic System**

- o Existing Septic System - Evaluation of adequacy in terms of today's regulations from local Health Department
- o Private System - "Will Serve Letter" or bill
- o Proposed Septic System - "Will Serve Letter"
- o Public System - "Will Serve Letter" or bill

*Health Department
will serve*

☒ **Electric** (Electric bill or letter of commitment from electricity provider)

☒ **Driveway Permit** from CDOT or Morgan County Road and Bridge (If required by staff)

☒ **Ditch Company**- Proof of contact if there is a ditch on or next to your property

Technical:

☒ **Right to Farm Policy** signed by Landowner (attached)

☐ **Recording Fees:** *All recording fees will be collected at the **conclusion** of all hearings
Made payable to Morgan County Clerk & Recorder*

☐ Plat map recording fee

\$13.00 first page

\$10.00 per page thereafter

___ # additional pages x 10=\$___ + \$13= \$___ Total Recording Cost

*Title to any or all of the Minor Subdivision **CANNOT** be transferred until all required documents have been recorded in the Morgan County Clerk and Recorders office.

☐ Additional Information required by staff: _____

☐ ___ # **Paper Application Sets** ☐ **Digital Copy of Complete Application**
One sided only please

LANDOWNER AND APPLICANT STATEMENTS

Property taxes must be current prior to processing application.

I hereby certify that to the best of my knowledge, the information contained within this application package is true and correct. Application must be signed by applicant and landowner as it appears in title insurance.

Cory B. [Signature] 6-14-22 Cory B. [Signature] 6-14-22
Applicant Signature Date Landowner Signature Date

Applicant Signature Date Landowner Signature Date

APPLICANT NARRATIVE

Project Description

Purpose of Request

Additional Information to Demonstrate Intent

Impact/ Relation to Adjacent Uses

General Topography of Land and Potential Hazards

Morgan Planning & Zoning
Property C 18260 Road P
Fort Morgan, CO 80701

Kudron Construction
T Yates Ter
Ft. Morgan, CO

Description:

Extend boundary lines to include south parcel along newly surveyed property lines.

Purpose:

We re-platted this area to "clean-up" the original property area and clearly define the lot lines to include adjoining property. These lots are now included with adjoining property that previously was not included.

Intent The lot #4 I intend to sell to my neighbor who wishes to develop the land with a personal residence.

No Known impacts will result in the re-platting of the current property because we are only extending current boundary lines of which are already owned by Kudron Construction.

The general topography of the area is flat grassland. No potential hazards exists.

Currently, the land is fenced on all four sides of property.

A small portion of the southern tip of lot 4 is in the flood plain. No current development is planned in this area.

In Conclusion,

The boundary line adjustment creates one or multiple lots and eliminates a separate property by joining the two together. This newly adjusted or replatted will be beneficial to all new potential property owners and clearly state new boundary areas.

Sincerely

Gay R. Kottan

SITE PLANS & MAPS

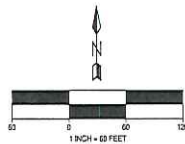
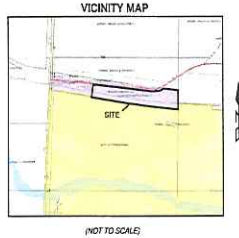
Plat Map

FLOODPLAIN CERTIFICATE

IT IS HEREBY CERTIFIED THAT THE ABOVE DESCRIBED PROPERTY IS PARTIALLY LOCATED WITHIN THE ZONE A FLOOD HAZARD BOUNDARY ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY PANEL NO. 00870044E EFFECTIVE DATE MAY 15, 2021.

SURVEYOR'S NOTES:

- THIS SURVEY WAS PREPARED FOR THE BENEFIT OF EQUITY TITLE ASSOCIATES II TITLE COMMITTEE NO. 0001, DATED APRIL 15, 2021 AND DOES NOT CONSTITUTE A TITLE SEARCH BY THOMAS LAND SURVEYING, LLC. TO DETERMINE EASEMENTS OR TITLE OF RECORD, THOMAS LAND SURVEYING, LLC RELIES ON SAID COMMITTEE EXCLUSIVELY FOR ALL EASEMENTS AND RIGHTS-OF-WAY. THIS SURVEY DOES NOT REPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS THAT SAID TITLE COMMITTEE MAY DISCLOSE.
- ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- THIS SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT AND/OR BOUNDARY MARKING OR ACCURACY, COMMITTS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE, C.R.S. § 18-6-501, WHEREBY WILLFULLY DESTROYS, DEFACES, CHANGES OR REMOVES TO ANOTHER PLACE ANY SECTION CORNER, QUARTER CORNER OR MEASUREMENT POST OR ANY GOVERNMENT LINE OF SURVEY, OR WILLFULLY CUTS DOWN ANY WITNESS TREE OR ANY TREE (S) USED TO MARK THE LINE OF A BENCH MARK OF ANY GOVERNMENT SURVEY, SHALL BE FINED UNDER THIS TITLE OR IMPRISONED NOT MORE THAN SIX MONTHS, OR BOTH, IN U.S.C. § 1858 (2021).
- THE DISTANCE MEASUREMENTS SHOWN HEREON ARE U.S. SURVEY FOOT.
- THE RECORDED PLAT OF THE RAILROAD MINOR SUBDIVISION, RECORDED NOVEMBER 15, 1961, AS RECORDED IN 1961, IS FOR THE MOST PART, ILLEGIBLE. THOMAS LAND SURVEYING, LLC RELIES UPON WHAT COULD BE DETERMINED FROM SAID RAILROAD MINOR SUBDIVISION PLAT, FOUND MONUMENTATION, AND VARIOUS RECORDED RETRACEMENT SURVEYS, IN ORDER TO LAY OUT THE LOTS AS CLOSE AS POSSIBLE TO THE INTENT OF THE RAILROAD MINOR SUBDIVISION.



KUDRON REPLAT RPL2022-XXXX

LOTS 4, 5, 6, 7, 8 AND 9, OF RAILROAD MINOR SUBDIVISION, AND A TRACT OF LAND DESCRIBED IN BOOK 1076 AT PAGE 262, MORGAN COUNTY RECORDS, ALL BEING A PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6TH P.M., COUNTY OF MORGAN, STATE OF COLORADO

COMMISSIONER'S CERTIFICATE:

APPROVED THIS _____ DAY OF _____, 2021, BOARD OF COUNTY COMMISSIONERS, MORGAN COUNTY, COLORADO, THIS APPROVAL DOES NOT GUARANTEE THAT THE SIZE, SIZE, CONDITIONS, SUBSURFACE GEOLOGY, GROUNDWATER CONDITIONS, OR FLOODING CONDITIONS OF ANY LOT SHOWN HEREON ARE SUCH THAT A BUILDING PERMIT, WELL PERMIT, OR SEWAGE DISPOSAL PERMIT WILL BE ISSUED. THIS APPROVAL IS WITH THE UNDERSTANDING THAT ALL EXPENSES INVOLVING IMPROVEMENTS FOR ALL UTILITY SERVICES, FLOODING, GRADING, LANDSCAPING, CURBS, GUTTERS, SIDEWALKS, ROAD LIGHTING, ROAD SIGNS, FLOOD PROTECTION DEVICES, DRAINAGE STRUCTURES, AND ALL OTHER IMPROVEMENTS THAT MAY BE REQUIRED SHALL BE THE RESPONSIBILITY OF THE SUBDIVIDER AND NOT THE COUNTY OF MORGAN.

ATTEST: _____
CLERK OF BOARD

CHAIRMAN

CLERK AND RECORDERS CERTIFICATE:

STATE OF COLORADO }
COUNTY OF MORGAN } SS.
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____, COLORADO, ON _____, 2021, AND IS DULY RECORDED AT RECEPTION NO. _____
FEES PAID _____

RECORDED

CERTIFICATE OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT KUDRON CONSTRUCTION, LLC, BEING THE OWNER OF CERTAIN LANDS IN MORGAN COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

LOTS 4, 5, 6, 7, 8 AND 9 OF RAILROAD MINOR SUBDIVISION, BEING A SUBDIVISION IN THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6TH P.M., ACCORDING TO THE RECORDED PLAT THEREOF, COUNTY OF MORGAN, STATE OF COLORADO, AND

A TRACT OR PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 31;

THENCE SOUTH 31°22'30" WEST ALONG THE WEST LINE OF THE NORTHEAST OF SAID SECTION 31, A DISTANCE OF 294.30 FEET;

THENCE SOUTH 81°27'00" EAST, A DISTANCE OF 70.32 FEET;

THENCE SOUTH 81°56'10" WEST, A DISTANCE OF 62.57 FEET;

THENCE SOUTH 81°27'00" EAST, A DISTANCE OF 70.32 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 81°27'00" EAST, A DISTANCE OF 603.12 FEET TO A POINT OF CURVE TO THE LEFT;

THENCE ALONG SAID CURVE HAVING A RADIUS OF 11,459.18 FEET, A DELTA OF 0°01'57", A LENGTH OF 112.58 FEET AND A CHORD WHICH BEARS SOUTH 84°19'17" EAST, A DISTANCE OF 112.48 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31;

THENCE SOUTH 00°00'00" WEST ALONG SAID EAST LINE, A DISTANCE OF 115.15 FEET TO A POINT OF NON-TANGENT CURVE TO THE RIGHT;

THENCE ALONG SAID CURVE HAVING A RADIUS OF 11,274.16 FEET, A DELTA OF 0°01'52", A LENGTH OF 112.72 FEET AND A CHORD WHICH BEARS NORTH 84°19'17" WEST, A DISTANCE OF 112.72 FEET;

THENCE NORTH 81°27'00" WEST, A DISTANCE OF 603.12 FEET;

THENCE NORTH 80°25'31" EAST, A DISTANCE OF 15.02 FEET TO THE POINT OF BEGINNING, COUNTY OF MORGAN, STATE OF COLORADO.

THE PARCELS OF LAND DESCRIBED ABOVE CONTAIN 11.42 ACRES OR LESS AND ARE SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

AND HAVE BY THESE PRESENTS Laid Out, Platted and Subdivided as Shown on this Plat.

EXECUTED THIS _____ DAY OF _____, 2021, BY _____

OWNER:
KUDRON CONSTRUCTION, LLC
BY: CARY KUDRON

STATE OF COLORADO } SS.
COUNTY OF MORGAN }

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2021, BY _____

WITNESS MY HAND AND OFFICIAL SEAL,
MY COMMISSION EXPIRES _____

NOTARY PUBLIC

BASIS OF BEARING:

THE EAST LINE OF LOT 6, RAILROAD MINOR SUBDIVISION, COUNTY OF MORGAN, STATE OF COLORADO, IS FOR THE MOST PART, ILLEGIBLE. THOMAS LAND SURVEYING, LLC RELIES UPON WHAT COULD BE DETERMINED FROM SAID RAILROAD MINOR SUBDIVISION PLAT, FOUND MONUMENTATION, AND VARIOUS RECORDED RETRACEMENT SURVEYS, IN ORDER TO LAY OUT THE LOTS AS CLOSE AS POSSIBLE TO THE INTENT OF THE RAILROAD MINOR SUBDIVISION.

CURVE TABLE

CURVE	DELTA	RADIUS	ARC LENGTH	CHORD	CHORD BEARING
C1	32°45'57"	444.86	254.44	251.38	N 78°11'15" E
C2	24°12'27"	444.86	188.40	187.05	N 52°32'28" E
C3	88°02'23"	444.86	60.87	66.57	N 70°22'08" E
C4	59°04'47"	1,550.10	1,125.60	1,125.24	N 64°57'20" W
C5	81°08'08"	1,550.10	304.42	305.40	N 61°03'20" W
C6	31°11'54"	1,550.10	241.26	241.20	N 50°08'20" W
C7	81°02'23"	1,550.10	277.20	277.10	N 64°22'55" E
C8	31°41'20"	1,550.10	341.30	341.20	N 63°08'27" E
C9	89°02'23"	1,444.10	1,101.17	1,103.14	S 84°50'51" E
C10	81°08'08"	1,444.10	327.77	327.70	S 82°09'21" E
C11	81°02'23"	1,444.10	275.47	275.40	S 84°02'23" E
C12	31°11'51"	1,444.10	234.73	234.70	S 83°46'20" E
C13	24°12'27"	1,444.10	172.31	172.30	S 83°20'40" E

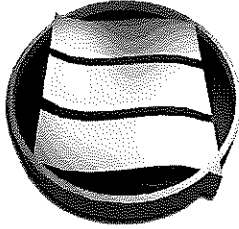
SURVEYOR'S CERTIFICATE:

I, ROBERT D. THOMAS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS BOUNDARY LINE ADJUSTMENT WAS PREPARED BY ME, OR UNDER MY PERSONAL SUPERVISION, AND THAT THIS PLAT IS AN ACCURATE REPRESENTATION THEREOF, BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF. I FURTHER CERTIFY THAT THE SURVEY AND THIS PLAT COMPLY WITH ALL APPLICABLE RULES, REGULATIONS, AND LAWS OF THE STATE OF COLORADO. STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS, AND MORGAN COUNTY, AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESS OR IMPLIED.

ROBERT D. THOMAS
COLORADO PROFESSIONAL LAND SURVEYOR #23553

DATE

PROOF OF OWNERSHIP



EQUITY TITLE OF COLORADO

520 Sherman Street
Fort Morgan, CO 80701
Phone: (970) 867-0515 • Fax: (970) 867-2246

Date: April 28, 2022

Our File Number: 00056851 SB

C-1 – New TBD Commitment

Re: Kudron Construction LLC / TBD

Property Address: 18216 County Road T Fort Morgan, CO 80701

Escrow Officer: Title Only

Title Officer: Shelly Butt - (303) 563-4655 - shellyb@equitycol.com

[Delivery List]

Seller:

Kudron Construction LLC
Email: cbkudron@gmail.com
SENT VIA EMAIL

Buyer:

TBD

Copy to:

Thomas Land Surveying, PLS
2619 West 11th Street Road Suite 24
Greeley, CO 80634
Attn: Bob Thomas
Ph: (970) 222-3311 Fax
Email: bob@thomasls.com
SENT VIA EMAIL



ALTA COMMITMENT FOR TITLE INSURANCE

ISSUED BY
STEWART TITLE GUARANTY COMPANY - II

NOTICE

IMPORTANT – READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, STEWART TITLE GUARANTY COMPANY - II, a Texas corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I - Requirements have not been met within six (6) months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Countersigned:

Authorized Signature

Equity Title Associates II, LLC

Company Name

Fort Morgan, Colorado

City State

stewart
title guaranty company



Matt Morris
President and CEO

Denise Carraux
Secretary

For purposes of this form the "Stewart Title" logo featured above is the represented logo for the underwriter, Stewart Title Guaranty Company - II.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I - Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I - Requirements;
- (f) Schedule B, Part II - Exceptions; and
- (g) a countersignature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I - Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II - Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I - Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II - Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

STEWART TITLE GUARANTY COMPANY - II

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at P.O. Box 2029, Houston, Texas 77252-2029.

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**ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**

**ISSUED BY
STEWART TITLE GUARANTY COMPANY - II**

Transaction Identification Data for reference only:

Issuing Agent: Equity Title Associates II, LLC
Issuing Office: 520 Sherman Street, Fort Morgan, CO 80701
Loan ID Number: []
Issuing Office File Number: 00056851
Property Address: 18216 County Road T, Fort Morgan, CO 80701

1. Effective Date: **April 21, 2022 at 8:00 a.m.**

2. Policy to be issued:

(a) None

Proposed Insured: **TBD**

Proposed Policy Amount: **\$0.00**

(b) None

Proposed Insured:

Proposed Policy Amount: **\$0.00**

(c) None

Proposed Insured: []

Proposed Policy Amount: **\$0.00**

3. The estate or interest in the Land described or referred to in this Commitment is:

FEE SIMPLE

4. The Title is, at the Commitment Date, vested in:

[Kudron Construction, LLC](#)

5. The Land is described as follows:

See Exhibit A attached hereto and made a part hereof.

STEWART TITLE GUARANTY COMPANY - II
Countersigned By



Authorized Signature

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TITLE PREMIUMS

TBD Commitment Fee	\$	300.00
TOTAL	\$	\$ 300.00
Closing Protection Letter Fee (if applicable): \$25.00		

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EXHIBIT A
LEGAL DESCRIPTION

Lots 4, 5, 6, 7, 8, 9 and 10 of RAILROAD MINOR SUBDIVISION, being a Subdivision in the NE ¼ of Section 31, Township 4 North, Range 57 West of the 6th P.M., according to the recorded plat thereof, County of Morgan, State of Colorado;

AND

A tract or parcel of land located in the NE ¼ of Section 31, Township 4 North, Range 57 West of the 6th P.M., more particularly described as follows:

Commencing at the N ¼ corner of said Section 31;

THENCE South 01°22'28" West along the West line of the NE ¼ of said Section 31, a distance of 294.90 feet;

THENCE South 81°27'09" East, a distance of 78.32 feet;

THENCE South 01°56'21" West, a distance of 173.99 feet;

THENCE South 02°01'43" West, a distance of 62.57 feet;

THENCE South 81°27'09" East, a distance of 792.28 feet to the true point of beginning;

THENCE South 81°27'09" East, a distance of 660.12 feet to a point of curve to the left;

THENCE along said curve having a radius of 11,459.16 feet, a delta of 05°36'37", a length of 1122.05 feet and a chord which bears South 84°15'27" East, a distance of 1121.60 feet to a point on the East line of the NE ¼ of said Section 31;

THENCE South 00°00'00" West along said East line, a distance of 115.15 feet to a point of non-tangent curve to the right;

THENCE along said curve having a radius of 11,574.16 feet, a delta of 05°38'22", a length of 1138.72 feet and a chord which bears North 84°16'19" West, a distance of 1138.72 feet;

THENCE North 81°27'09" West, a distance of 660.12 feet;

THENCE North 08°32'51" East, a distance of 115.0 feet to the point of beginning;

County of Morgan, State of Colorado.

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ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE B PART I

ISSUED BY
STEWART TITLE GUARANTY COMPANY - II

Requirements

File No.: 00056851

All of the following Requirements must be met:

- A. ~~The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.~~
- B. ~~Pay the agreed amount for the estate or interest to be insured.~~
- C. ~~Pay the premiums, fees, and charges for the Policy to the Company.~~
- D. ~~Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.~~
- i. ~~[]~~
- ii. ~~[]~~
- ~~[=clause=]~~
- E. ~~Evidence if any that all assessments for common expenses due under the Declaration referred to in Schedule B, Section 2 contained herein, have been paid.~~
- F. ~~Receipt by the Company of a satisfactory Final Affidavit, executed by Kudron Construction LLC.~~
- G. ~~Receipt by the Company of a satisfactory Final Affidavit, executed by TBD.~~
- H. ~~Payment of all taxes and assessments now due and payable.~~

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ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE B PART II

ISSUED BY
STEWART TITLE GUARANTY COMPANY - II

Exceptions

File No.: 00056851

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date of which all of the Schedule B, Part I - Requirements are met.

NOTE: Provided Equity Title Associates II, LLC conducts the closing of this transaction, Exception 1 will be deleted.
2. Rights or claims of parties in possession not shown by the public records.
3. Easements or claims of easements, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortages in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
5. Any lien, or right to a lien for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: Upon receipt of [a satisfactory survey and] [final affidavits], as shown in Schedule B - Section 1, Exceptions 2 through 5 will not appear on the Lender's Policy (if any) to be issued hereunder.
6. Taxes and assessments which are a lien or are now due and payable; any tax, special assessment, charge or lien imposed for or by any special taxing district or for water or sewer service; any unredeemed tax sales.

NOTE: Upon payment of all taxes and assessments now due and payable, as shown in Schedule B - Section 2, Exception 6 will be amended to read as follows: "Taxes and assessments for the year 2024 and subsequent years, a lien, not yet due or payable."
7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water; (d) Minerals of whatsoever kind, subsurface and surface substances, in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the Public Records or listed in Schedule B.
8. Reservations contained in the Patent from the United States of America, dated December 15, 1871, in [Book 319 at Page 270](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

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SCHEDULE B, PART II

(Continued)

9. The Deuel and Snyder Ditch and rights of way therefor, as evidenced by Map and Sworn Statement filed February 21, 1902, in File No. 42.
10. Right of Way for Road purposes as specified in the Road Petition recorded February 3, 1890, in [Book 15 at Page 21](#), said road to be not less than 60 feet in width.
11. Deuel and Snyder Canal, as presently in existence.
12. County Road T, as presently in existence.
13. Terms, conditions, provisions, obligations, easements, agreements, benefits and burdens as set forth in the Order, recorded May 6, 1907, as Reception No. [25157](#).
14. Terms, conditions, provisions, obligations, easements, agreements, benefits and burdens as set forth in the Agreement, recorded July 20, 1967, as Reception No. [543683](#).
15. Terms, conditions, provisions, obligations, easements, agreements, benefits and burdens as set forth in the Resolution, recorded February 8, 1973, as Reception No. [577807](#).
16. Right of way for road purposes as shown on the Fort Morgan Master Street Plan recorded September 1, 1981 in Plat [Book 5 at Page 93](#), and as shown on the Comprehensive Plan update recorded April 21, 2004 in Plat [Book 10 at Page 128](#).
17. Easements, notes, covenants, restrictions and rights-of-way as shown on the plat of Railroad Minor Subdivision, recorded November 25, 1996, in Book 7 at Page 85, as Reception No. [758713](#).
18. Terms, conditions, provisions, obligations, easements, agreements, benefits and burdens as set forth in the Resolution, recorded November 25, 1996, as Reception No. [758714](#).
19. Covenants, conditions, restrictions, provisions, easements and assessments as set forth in the Covenants and Restrictions recorded November 25, 1996, as Reception No. [758715](#), but omitting any covenant, limitation or restriction based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin, and any and all amendments, assignments, or annexations thereto.
20. Reservation of all mineral and mineral rights, as described in Deed recorded June 12, 1997, as Reception No. [762457](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
21. Terms, conditions, provisions, obligations, easements, agreements, benefits and burdens as set forth in the Warranty Deed, recorded December 12, 2013, as Reception No. [885615](#).
 - Notice recorded January 14, 2016, as Reception No. [897729](#).
22. Easements, notes, covenants, restrictions and rights-of-way as shown on the Survey Plat, recorded December 28, 2000, in Book L8 at Page 44, as Reception No. [1600744](#).
23. Easements, notes, covenants, restrictions and rights-of-way as shown on the Retracement Survey Plat, recorded January 15, 2014, as Reception No. [1601655](#).

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SCHEDULE B, PART II

(Continued)

24. Easements, notes, covenants, restrictions and rights-of-way as shown on the Survey Plat, recorded February 4, 2014, as Reception No. [1601661](#).
25. Easements, notes, covenants, restrictions and rights-of-way as shown on the Survey Plat, recorded December 17, 2021, as Reception No. [1602064](#).
26. The following notices pursuant to CRS 9-1.5-103 concerning underground facilities have been filed with the Clerk and Recorder. These statements are general and do not necessarily give notice of underground facilities within the subject property:
 - a.) Mountain Bell Telephone Company recorded October 2, 1981, in [Book 821 at Page 502](#).
 - b.) Fort Morgan Underground Facilities recorded November 22, 1989, in [Book 917 at Page 513](#).
 - c.) Public Service Company of Colorado recorded October 2, 1981, in [Book 821 at Page 514](#).
 - d.) Morgan County REA, recorded January 22, 1982, in [Book 825 at Page 656](#).

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DISCLOSURES

Pursuant to C.R.S. 10-11-122, notice is hereby given that:

- A. THE SUBJECT REAL PROPERTY MAY BE LOCATED IN A SPECIAL TAXING DISTRICT;
- B. A CERTIFICATE OF TAXES DUE LISTING EACH TAXING JURISDICTION SHALL BE OBTAINED FROM THE COUNTY TREASURER OR THE COUNTY TREASURER'S AUTHORIZED AGENT;
- C. INFORMATION REGARDING SPECIAL DISTRICTS AND THE BOUNDARIES OF SUCH DISTRICTS MAY BE OBTAINED FROM THE BOARD OF COUNTY COMMISSIONERS, THE COUNTY CLERK AND RECORDER, OR THE COUNTY ASSESSOR

Note: Colorado Division of Insurance Regulations 8-1-2, Section 5, Paragraph G requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed." Provided that Equity Title Associates II, LLC conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 1 will not appear on the Owner's Title Policy and the Lender's Title Policy when issued.

Note: Affirmative Mechanic's Lien Protection for the Owner may be available (typically by deletion of Exception No. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- A. The land described in Schedule A of this commitment must be a single-family residence, which includes a condominium or townhouse unit.
- B. No labor or materials have been furnished by mechanics or materialmen for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- C. The Company must receive an appropriate affidavit indemnifying the Company against unfilled Mechanic's and Materialmen's Liens.
- D. The Company must receive payment of the appropriate premium.
- E. If there has been construction, improvements or major repairs undertaken on the property to be purchased, within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and/or the contractor; payment of the appropriate premium; fully executed Indemnity agreements satisfactory to the company; and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

To comply with the provisions of C.R.S. 10-11-123, the Company makes the following disclosure:

- a. That there is recorded evidence that a mineral estate has been severed, leased or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- b. That such mineral estate may include the right to enter and use the property without the surface owner's permission.

NOTE: THIS DISCLOSURE APPLIES ONLY IF SCHEDULE B, SECTION 2 OF THE TITLE COMMITMENT HEREIN INCLUDES AN EXCEPTION FOR SEVERED MINERALS.

Notice of Availability of a Closing Protection Letter: Pursuant to Colorado Division of Insurance Regulation 8-1-3, Section 5, Paragraph C (11)(f), a closing protection letter is available to the consumer.

NOTHING HEREIN CONTAINED WILL BE DEEMED TO OBLIGATE THE COMPANY TO PROVIDE ANY OF THE COVERAGES REFERRED TO HEREIN, UNLESS THE ABOVE CONDITIONS ARE FULLY SATISFIED.

Orange Coast Title Family of Companies
PRIVACY POLICY

We are committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information that you provide to us. Therefore, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information we receive from providers of services to us, such as appraisers, appraisal management companies, real estate agents and brokers and insurance agencies (this may include the appraised value, purchase price and other details about the property that is the subject of your transaction with us).
- Information about your transactions with us, our Affiliated Companies, or others; and
- Information we receive from a consumer reporting agency.

Your California Rights (see attachments) or you may visit our website at <https://www.titleadvantage.com/privacypolicy.htm> or call toll-free at (866) 241-7373. *Only applies to CA residents*

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Other Important Information

We reserve the right to modify or supplement this Privacy Policy at any time. If our Privacy Policy changes, we will post the updated Privacy Policy on our website and provide the ability to opt out (as required by law) before the new policy becomes effective.

If you have any questions or comments regarding our Privacy Policy you may contact us at our toll free number (866) 241-7373 or email us at dataprivacy@octitle.com.

Privacy Policy Last Revision 12/26/2019
Effective on 1/1/2020

Your California Rights

If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act ("CCPA"). All phrases used herein shall have the same meaning as those phrases used under relevant California law, including but not limited to the CCPA.

Right to Know

You have the right to know:

- The categories of personal information we have collected about or from you;
- The categories of sources from which we collected your personal information;
- The business or commercial purpose for collecting or sharing your personal information;
- The categories of third parties with whom we have shared your personal information; and
- The specific pieces of your personal information we have collected.

Process to Submit a Request. To submit a verified request for this information you may visit our website at <https://www.titleadvantage.com/privacypolicy.htm> or call toll-free at (866) 241-7373. You may also designate an authorized agent to submit a request on your behalf by visiting our website <https://www.titleadvantage.com/privacypolicy.htm> or calling toll-free at (866) 241-7373 and then also submitting written proof of such authorization via e-mail to dataprivacy@octitle.com.

Verification Method. In order to ensure your personal information is not disclosed to unauthorized parties, and to protect against fraud, we will verify your identity before responding to your request. To verify your identity, we will generally match the identifying information provided in your request with the information we have on file about you. Depending on the sensitivity of the personal information requested, we may also utilize more stringent verification methods to verify your identity, including but not limited to requesting additional information from you and/or requiring you to sign a declaration under penalty of perjury.

Right of Deletion

You have a right to request that we delete the personal information we have collected from or about you.

Process to Submit a Request. To submit a verified request to delete your information you may visit our website at <https://www.titleadvantage.com/privacypolicy.htm> or call toll-free at (866) 241-7373. You may also designate an authorized agent to submit a request on your behalf by clicking here or calling toll-free at (866) 241-7373 and then also submitting written proof of such authorization via e-mail to dataprivacy@octitle.com.

Verification Method. In order to ensure we do not inadvertently delete your personal information based on a fraudulent request, we will verify your identity before we respond to your request. To verify your identity, we will generally match the identifying information provided in your request with the information we have on file about you. Depending on the sensitivity of the personal information requested to be deleted, we may also utilize more stringent verification methods to verify your identity, including but not limited to requesting additional information from you and/or requiring you to sign a declaration under penalty of perjury.

Right to Opt-Out

We do not sell your personal information to third parties, and do not plan to do so in the future.

Right of Non-Discrimination

You have a right to exercise your rights under the CCPA without suffering discrimination. Accordingly, OC Title & family of Companies will not discriminate against you in any way if you choose to exercise your rights under the CCPA.

California Minors

If you are a California resident under the age of 18, California Business and Professions Code § 22581 permits you to request and obtain removal of content or information you have publicly posted on any of our Applications or Websites. To make such a request, please send an email with a detailed description of the specific content or information to dataprivacy@octitle.com. Please be aware that such a request does not ensure complete or comprehensive removal of the content or information you have posted and there may be circumstances in which the law does not require or allow removal even if requested.

Collection Notice

The following is a list of the categories of personal information we may have collected about California residents in the twelve months preceding the date this Privacy Notice was last updated, including the business or commercial purpose for said collection, the categories of sources from which we may have collected the personal information, and the categories of third parties with whom we may have shared the personal information:

Categories of Personal Information Collected

The categories of personal information we have collected include, but may not be limited to:

- | | | |
|--|------------------------------------|--|
| • real name | • address | • employment history |
| • signature | • telephone number | • bank account number |
| • alias | • passport number | • credit card number |
| • SSN | • driver's license number | • debit card number |
| • physical characteristics or description, including | • state identification card number | • financial account numbers |
| • protected characteristics under federal or state law | • IP address | • commercial information |
| | • policy number | • professional or employment information |
| | • file number | |

Categories of Sources

Categories of sources from which we've collected personal information include, but may not be limited to:

- the consumer directly
- public records
- governmental entities
- non-affiliated third parties
- affiliated third parties

Business Purpose for Collection

The business purposes for which we've collected personal information include, but may not be limited to:

- completing a transaction for our Products
- verifying eligibility for employment
- facilitating employment
- performing services on behalf of affiliated and non-affiliated third parties
- protecting against malicious, deceptive, fraudulent, or illegal activity

Categories of Third Parties Shared

The categories of third parties with whom we've shared personal information include, but may not be limited to:

- service providers
- government entities
- operating systems and platforms
- non-affiliated third parties
- affiliated third parties

Sale Notice

We have not sold the personal information of California residents to any third party in the twelve months preceding the date this Privacy Notice was last updated, and we have no plans to sell such information in the future. We also do not, and will not sell the personal information of minors under sixteen years of age without affirmative authorization.

Disclosure Notice

The following is a list of the categories of personal information of California residents we may have disclosed for a business purpose in the twelve months preceding the date this Privacy Notice was last updated.

- | | | |
|---|------------------------------------|--|
| • real name | • telephone number | • bank account number |
| • Signature | • passport number | • credit card number |
| • Alias | • driver's license number | • debit card number |
| • SSN | • state identification card number | • financial account numbers |
| • physical characteristics or description, including protected characteristics under federal or state law | • IP address | • commercial information |
| • address | • policy number | • professional or employment information |
| | • file number | |
| | • employment history | |

If you have any questions and/or comments you may contact us:

Call Us at our toll free number (866) 241-7373

Email Us at dataprivacy@octitle.com

Revised on 1/24/2020 / Effective on 1/1/2020

STG Privacy Notice 1 (Rev 01/26/09) Stewart Title Companies

WHAT DO THE STEWART TITLE COMPANIES DO WITH YOUR PERSONAL INFORMATION?

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicable state law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand how we use your personal information. This privacy notice is distributed on behalf of the Stewart Title Guaranty Company - II and its affiliates (the Stewart Title Companies), pursuant to Title V of the Gramm-Leach-Bliley Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. This information can include social security numbers and driver's license number.

All financial companies, such as the Stewart Title Companies, need to share customers' personal information to run their everyday business—to process transactions and maintain customer accounts. In the section below, we list the reasons that we can share customers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

Reasons we can share your personal information	Do we share?	Can you limit this sharing?
For our everyday business purposes — to process your transactions and maintain your account. This may include running the business and managing customer accounts, such as processing transactions, mailing, and auditing services, and responding to court orders and legal investigations.	Yes	No
For our marketing purposes — to offer our products and services to you.	Yes	No
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes — information about your transactions and experiences. Affiliates are companies related by common ownership or control. They can be financial and nonfinancial companies. <i>Our affiliates may include companies with a Stewart name; financial companies, such as Stewart Title Company</i>	Yes	No
For our affiliates' everyday business purposes — information about your creditworthiness.	No	We don't share
For our affiliates to market to you	Yes	No
For nonaffiliates to market to you. Nonaffiliates are companies not related by common ownership or control. They can be financial and nonfinancial companies.	No	We don't share

We may disclose your personal information to our affiliates or to nonaffiliates as permitted by law. If you request a transaction with a nonaffiliate, such as a third party insurance company, we will disclose your personal information to that nonaffiliate. We do not control their subsequent use of information, and suggest you refer to their privacy notices.

Sharing practices

How often do the Stewart Title Companies notify me about their practices?	We must notify you about our sharing practices when you request a transaction.
How do the Stewart Title Companies protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal and state law. These measures include computer, file, and building safeguards.
How do the Stewart Title Companies collect my personal information?	<p>We collect your personal information, for example, when you</p> <ul style="list-style-type: none"> request insurance-related services provide such information to us <p>We also collect your personal information from others, such as the real estate agent or lender involved in your transaction, credit reporting agencies, affiliates or other companies.</p>
What sharing can I limit?	Although federal and state law give you the right to limit sharing (e.g., opt out) in certain instances, we do not share your personal information in those instances.

Contact Us

If you have any questions about this privacy notice, please contact us at: Stewart Title Guaranty Company - II, 1980 Post Oak Blvd., Privacy Officer, Houston, Texas 77056

**THIS ADDENDUM IS MADE PART OF THE POLICY AND IS PERMANENTLY AFFIXED HERETO
COLORADO ANTI-FRAUD DISCLOSURE
PURSUANT TO C.R.S. 10-1-128 (6)**

"It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies."

PROOF OF UTILITIES & ACCESS

Water

Sewer

CDOT or Road & Bridge

Other Utilities or Access Documentation

MORGAN COUNTY QUALITY WATER DISTRICT
P. O. BOX 1218
FORT MORGAN, CO 80701

TAP ASSUMPTION

I/We, Kudron Construction, LLC have purchased the premises upon which Tap Number 647 of the Morgan County Quality Water District is located and wish to assume future responsibility for said tap.

I/We have examined the terms of the original tap agreement signed by American Fertilizer & Chemical Co. by Wm H McKellar and dated August 6, 1977, and agree to be bound by the provisions contained therein and will comply with the rules and regulations as from time to time promulgated by the directors of Morgan County Quality Water District. I/we further acknowledge that we shall not serve more than one residence or business per Tap Equivalent.

Cary Kudron
New Tap Holder **Printed Name**

941 Nancy St.
Address

Ft. Morgan CO 80701
City State Zip

970-518-4395
Phone Number

Cary B. Kudron
Signature Please attach signed ACH form signed

I hereby relinquish rights to Tap Number 647 of the Morgan County Quality Water District.

[Signature]
Previous Tap Holder signature

Effective Date of Transfer: 1/12/16

Back Payments Due \$0.00

Disposition of Charges for Current Month: \$0.00

Total Charges Due from Seller: \$0.00

APPROVED: Kay Bartock
Morgan County Quality Water District

**** Please return this signed original document within five days of transfer to: Morgan County Quality Water District, P. O. Box 1218, Fort Morgan, CO 80701. Phone: 970-867-3054. For a list of current Morgan County Quality Water District policy and procedures, please visit our web site at www.mcqwd.org.

CONTRACT FOR SERVICE

647

The undersigned owners of the following described real estate, situate in Morgan County, Colorado, to-wit:

American Fertilizer & Chemical Co.
Fort Morgan, Colorado 80701

hereby requests service and contracts for service with the MORGAN COUNTY QUALITY WATER DISTRICT as follows:

		<u>COST</u>	<u>BASE NUMBER</u>
<input checked="" type="checkbox"/>	3/4 x 5/8"	\$ 350	1
<input type="checkbox"/>	3/4"	525	2
<input type="checkbox"/>	1"	875	4
<input type="checkbox"/>	1 1/2"	1,750	9
<input type="checkbox"/>	2"	2,800	*

"Requires Board approval

That the number of dwellings to be served upon the premises is as follows:

Main office and plant site

A surcharge of \$150 will be assessed in addition to the tap fee for additional taps in excess of the base.

That the legal description (within a forty acre tract) upon which tap location or dwellings are situated is as follows: Various parcels of land leased from the Union Pacific Railroad Co., Omaha, Nebraska.

That the undersigned hereby pays unto the MORGAN COUNTY QUALITY WATER DISTRICT as consideration for this agreement, ten per cent (10%) of the costs for the service as above designated and further agrees that the balance of the cost of said tap and service as designated shall be paid on or before the date that construction begins.

That in consideration for the District furnishing said service, the undersigned further agrees as follows:

- The undersigned hereby grants unto the MORGAN COUNTY QUALITY WATER DISTRICT, a right of way and easement over and across the lands of the undersigned within said district for the purpose of construction, maintenance and repair of a pipeline for distribution and service of said quality water to the lands of the undersigned and others within said district.
- ~~That the undersigned agrees to transfer to the MORGAN COUNTY QUALITY WATER DISTRICT, upon the request of said district, water or water rights presently existing upon the above described premises of a quantity and type equal to the quantity and type of service furnished to said premises by said district as determined by the amount of the meter reading.~~
- That the undersigned will comply with the rules and regulations as from time to time promulgated by the directors of the MORGAN COUNTY QUALITY WATER DISTRICT.

This agreement is binding upon the heirs, legal representatives and assigns of the undersigned.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this 6th day of August, A. D., 1977.

Paul McDill

Wm. H. McKellar
Wm. H. McKellar

MORGAN COUNTY QUALITY WATER DISTRICT
P. O. BOX 1218
FORT MORGAN, CO 80701

TAP ASSUMPTION

I/We, Kudron Construction, LLC have purchased the premises upon which Tap Number 596 of the Morgan County Quality Water District is located and wish to assume future responsibility for said tap.

I/We have examined the terms of the original tap agreement signed by Farmland Coop Inc. and dated August 6, 1977, and agree to be bound by the provisions contained therein and will comply with the rules and regulations as from time to time promulgated by the directors of Morgan County Quality Water District. I/we further acknowledge that we shall not serve more than one residence or business per Tap Equivalent.

Cary Kudron
New Tap Holder Printed Name
941 Nancy St.
Address
Ft. Morgan, CO 80701
City State Zip
970-518-4395
Phone Number
Cary B. Kudron
Signature Please attach signed ACH form signed

I hereby relinquish rights to Tap Number 596 of the Morgan County Quality Water District.

[Signature]
Previous Tap Holder signature

Effective Date of Transfer: 1/12/16

Back Payments Due \$0.00

Disposition of Charges for Current Month: \$0.00

Total Charges Due from Seller: \$0.00

APPROVED: Kay Bartock
Morgan County Quality Water District

**** Please return this signed original document within five days of transfer to: Morgan County Quality Water District, P. O. Box 1218, Fort Morgan, CO 80701. Phone: 970-867-3054. For a list of current Morgan County Quality Water District policy and procedures, please visit our web site at www.mcgwd.org.

CONTRACT FOR SERVICE

The undersigned owners of the following described real estate, situate in Morgan County, Colorado, to-wit:

Farmland Co-op Inc
P.O. Box 276
Brush, CO 80723

hereby requests service and contracts for service with the MORGAN COUNTY QUALITY WATER DISTRICT as follows:

		<u>COST</u>	<u>BASE NUMBER</u>
<input checked="" type="checkbox"/>	3/4 x 5/8"	\$ 350	1
<input type="checkbox"/>	3/4"	525	2
<input type="checkbox"/>	1"	875	4
<input type="checkbox"/>	1 1/2"	1,750	9
<input type="checkbox"/>	*2"	2,800	*

"Requires Board approval

That the number of dwellings to be served upon the premises is as follows:

ONE

A surcharge of \$150 will be assessed in addition to the tap fee for additional taps in excess of the base.

That the legal description (within a forty acre tract) upon which tap location or dwellings are situated is as follows:

NW 1/4 NE 1/4 Sec 31 4N 57W

That the undersigned hereby pays unto the MORGAN COUNTY QUALITY WATER DISTRICT as consideration for this agreement, ten per cent (10%) of the costs for the service as above designated and further agrees that the balance of the cost of said tap and service as designated shall be paid on or before the date that construction begins.

That in consideration for the District furnishing said service, the undersigned further agrees as follows:

- The undersigned hereby grants unto the MORGAN COUNTY QUALITY WATER DISTRICT, a right of way and easement over and across the lands of the undersigned within said district for the purpose of construction, maintenance and repair of a pipeline for distribution and service of said quality water to the lands of the undersigned and others within said district.
- That the undersigned agrees to transfer to the MORGAN COUNTY QUALITY WATER DISTRICT, upon the request of said district, water or water rights presently existing upon the above described premises of a quantity and type equal to the quantity and type of service furnished to said premises by said district as determined by the amount of the meter reading.
- That the undersigned will comply with the rules and regulations as from time to time promulgated by the directors of the MORGAN COUNTY QUALITY WATER DISTRICT.

This agreement is binding upon the heirs, legal representatives and assigns of the undersigned.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this day of August 6, A. D., 1977.

FARMLAND CO-OP, INC.

P.O. Box 276

Brush, Colo. 80723

Marjorie A. Samples

pd \$350.00 in full Aug. 8/12/77

Charles P. Deen



District Headquarters - 700 Columbine St., Sterling, CO 80751
(970) 522-3741 - 877-795-0646 - www.nchd.org

July 26, 2022

Cary Kudron
07 Yate Terrace
Fort Morgan, CO 80701

Dear Mr. Kudron;

Northeast Colorado Health Department (NCHD) has no objection to the Boundary Line Adjustment Replat of lots 4, 5, 6, 7, 8 and 9 of the Railroad Minor Subdivision located in the NE 1/4 of section 31, Township 4N, Range 57W in Morgan County, Colorado. Total acres involved are approximately 11.39 acres.

Lot #4A will be approximately 1.94 acres and vacant.

Lot #5A will be approximately 1.45 acres and vacant.

Lot #6A will be approximately 2.38 acres and vacant.

Lot #7A will be approximately 1.71 acres and vacant.

Lot #8A will be approximately 1.66 acres and vacant.

Lot #9A will be approximately 2.25 acres and vacant.

Potable water may be supplied by the Morgan County Quality Water District. If private wells are drilled on said properties they shall conform to the Northeast Colorado Health Department OWTS Regulations for setbacks.

Prior to building on said lots and if lots require an Onsite Waste Water System (OWTS) the owner(s) shall obtain from this office an application to install an individual sewage disposal system, and remit the appropriate fee. Construction of a septic system shall conform to all Northeast Colorado Health Department OWTS Regulations. Including, but not limited to, setback distances from wells, creeks, irrigation ditches, property lines, buildings, high water and other septic systems.

If there are any questions please call me at 970-867-4918 ext. 2262

Sincerely,

A handwritten signature in black ink, appearing to read "Melvin Bustos".

Melvin Bustos
Environmental Health Manager
Northeast Colorado Health Department



Nicole Hay <nhay@co.morgan.co.us>

Will Serve Notice

Brent Nation <brent.nation@cityoffortmorgan.com>

Tue, Aug 2, 2022 at 11:35 AM

To: Nicole Hay <nhay@co.morgan.co.us>

Cc: Cary Kudron <cbkudron@gmail.com>, Doug Linton <doug.linton@cityoffortmorgan.com>

Nicole,

This email is to notify the County Planning and Zoning Office that the City of Fort Morgan will provide (or continue to provide) electrical service to the properties associated with the plat entitled "BOUNDARY LINE ADJUSTMENT – A REPLAT OF LOTS 4, 5, 6, 7, 8 AND 9, OF RAILROAD MINOR SUBDIVISION, AND A TRACT OF LAND DESCRIBED IN BOOK 1076 AT PAGE 262".

Please include this notice to serve with the necessary file pending in your office. Let me know if you have any questions.

Thanks,

Brent M. Nation

Director of Utilities and Public Works

City of Fort Morgan

970-370-6558 (o)

970-768-2352 (c)

710 East Railroad Avenue

Fort Morgan, CO 80701

Referrals & Responses

Referrals Sent

Responses Received from Referrals

Landowner Letter

Landowner Letter Responses

Public Comments or Concerns Received



MORGAN COUNTY PLANNING AND BUILDING DEPARTMENT

TO REFERRAL AGENCIES:

- Division of Wildlife
- Morgan County Assessor
- Morgan County Quality Water
- Morgan County Rural Electric Assoc.
- Morgan County Sheriff Dept.
- Northeast Colorado Health Dept.,
- Northern Colorado Water Cons Dist.
- City of Fort Morgan
- Century Link
- Upper Platte & Beaver Canal Co.
- Deuel & Snyder Ditch *mail*
- Kinder Morgan, Inc.
- Morgan County Communications Center
- Morgan County Road & Bridge
- Morgan Soil Conservation District
- Fort Morgan Rural Fire District
- Xcel Energy
- Lower South Platte Water Conservancy District
- Bijou Irrigation
- Riverside Irrigation
- Lower Platte & Beaver Canal Co. *-mail*
- Fort Morgan Canal *-mail*

FROM: Nicole Hay, Morgan County Planning Administrator
231 Ensign St, PO Box 596, Fort Morgan, CO 80701
970-542-3526 / 970-542-3509 fax / nhay@co.morgan.co.us

DATE: August 9, 2022

RE: Land Use Application – Replat

The following Application for a Subdivision Replat has been submitted to Morgan County. Please review and provide any comments you may have. The application will be considered by the Board of County Commissioners on September 6, 2022 at 9:00 a.m. in the assembly room, 231 Ensign St. Fort Morgan CO.

Applicant: Cary Kudron

Landowners: Kudron Construction, LLC

Legal Description: Replat of Lots 4, 5, 6, 7, 8, and 9, Railroad Minor Subdivision and a tract of land described in Book 1076 at Page 262 of the Morgan County records in the NE¼ of Section 31, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado. Addressed as 18216 Co Rd T, Fort Morgan, Colorado 80701.

Request: The applicants/landowners are requesting to increase Lots 4, 5, 6, 7, 8, and 9 of Railroad Minor Subdivision to include the tract of land described in Book 1076 at Page 262 which was part of the former Union Pacific railroad right of way.

Subdivision	Property Owner	Existing Acres	Results
Lot 4, Railroad Minor Subdivision	Kudron Construction, LLC	1.00	1.94 Acres
Lot 5, Railroad Minor Subdivision	Kudron Construction, LLC	1.00	1.45 Acres
Lot 6, Railroad Minor Subdivision	Kudron Construction, LLC	1.33	2.38 Acres
Lot 7, Railroad Minor Subdivision	Kudron Construction, LLC	1.00	1.71 Acres
Lot 8, Railroad Minor Subdivision	Kudron Construction, LLC	1.06	1.66 Acres
Lot 9, Railroad Minor Subdivision	Kudron Construction, LLC	1.58	2.25 Acres

Please offer any comments or concerns you may have about this application by August 26, 2022.
Do not hesitate to contact me at any time if you have questions. **(Site map attached)**



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.571.3306
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

August 22, 2022

Morgan County Planning and Building Department
231 Ensign / PO Box 596
Fort Morgan, CO 80701

Attn: Nicole Hay

Re: Kudron

Public Service Company of Colorado's Right of Way & Permits Referral Desk has reviewed the subdivision replat for **Kudron** and has **no apparent conflict**.

The property owner/developer/contractor must complete the application process for any new natural gas service via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com



MORGAN COUNTY PLANNING AND BUILDING DEPARTMENT

August 16, 2022

Dear Neighboring Landowners:

Cary Kudron as applicant and Kudron Construction, LLC as landowner have submitted an application to our office for a Replat of Lots 4, 5, 6, 7, 8, and 9, Railroad Minor Subdivision and a tract of land described in Book 1076 at Page 262 of the Morgan County records in the NE¼ of Section 31, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado. Addressed as 18216 Co Rd T, Fort Morgan, Colorado 80701.

The applicants/landowners are requesting to increase Lots 4, 5, 6, 7, 8, and 9 of Railroad Minor Subdivision to include the tract of land described in Book 1076 at Page 262 which was part of the former Union Pacific railroad right of way.

This is compatible with surrounding land use and is adequately buffered. This application requires the notification of landowners within the subdivision.

Subdivision	Property Owner	Existing Acres	Results
Lot 4, Railroad Minor Subdivision	Kudron Construction, LLC	1.00	1.94 Acres
Lot 5, Railroad Minor Subdivision	Kudron Construction, LLC	1.00	1.45 Acres
Lot 6, Railroad Minor Subdivision	Kudron Construction, LLC	1.33	2.38 Acres
Lot 7, Railroad Minor Subdivision	Kudron Construction, LLC	1.00	1.71 Acres
Lot 8, Railroad Minor Subdivision	Kudron Construction, LLC	1.06	1.66 Acres
Lot 9, Railroad Minor Subdivision	Kudron Construction, LLC	1.58	2.25 Acres

This application will be heard by Board of County Commissioners at a **public meeting on Tuesday, September 6, 2022 at 9:00 A.M** in the Assembly Room of the Morgan County Administration Building, 231 Ensign St., (Basement Level, elevator entrance) Fort Morgan, Colorado. Landowners within the Subdivision are notified of the application and hearing date.

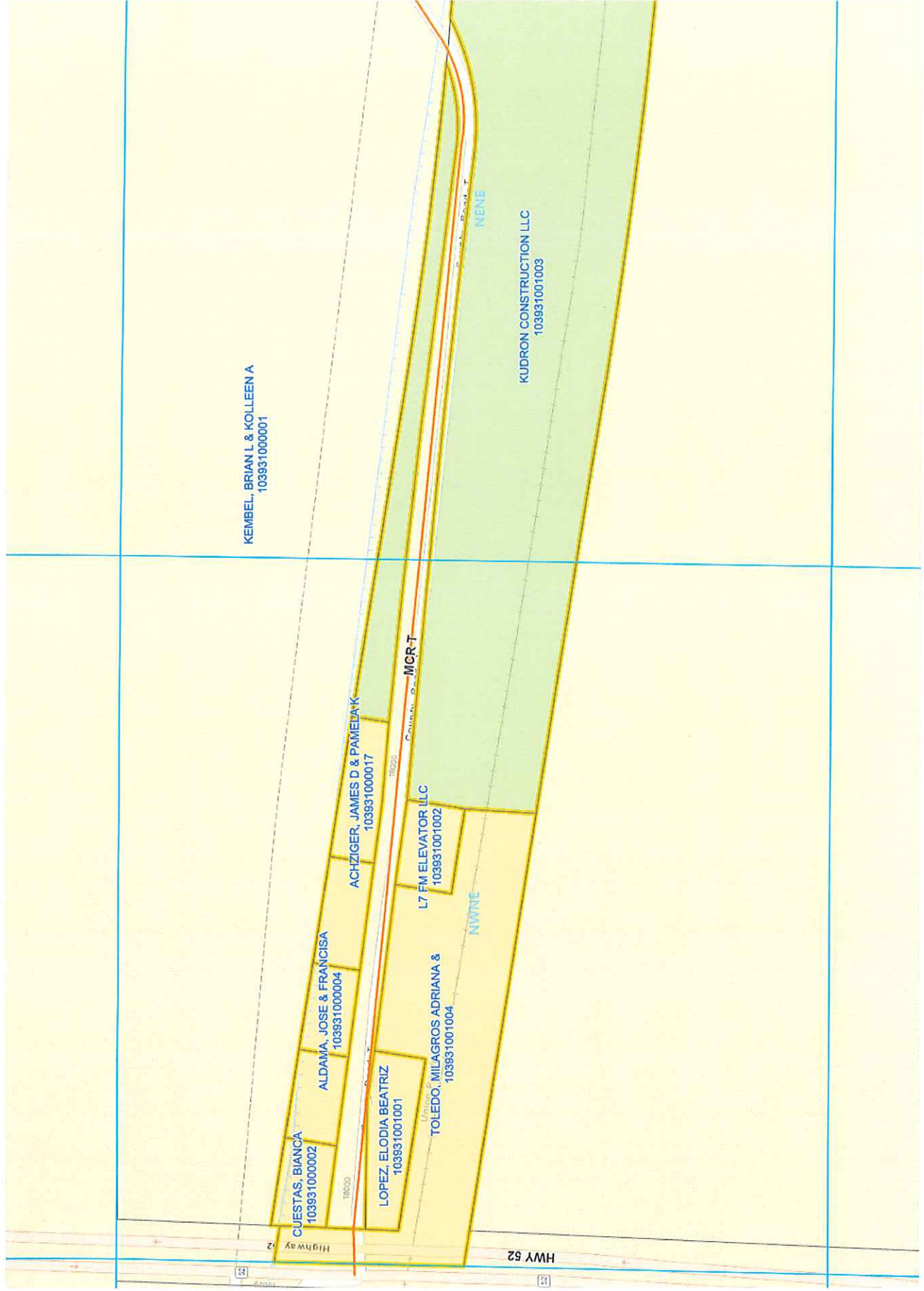
No response to this notification within 14 days of the date of this letter (August 30, 2022) or lack of response will be viewed as no objection to the application.

Sincerely,

Nicole Hay

Nicole Hay
Planning Administrator

Kudron South Parcel RPL2022-0002



KUDRON CONSTRUCTION LLC
7 YATES TERRACE
FORT MORGAN, CO 807019214

KUDRON, CARY & DENCIA
007 YATES TERRACE
FORT MORGAN, CO 80701

L7 FM ELEVATOR LLC
17566 CO RD 30
STERLING, CO 80751

TOLEDO, MILAGROS ADRIANA &
MUNOZ, FERNANDO MARQUEZ
18084 CO RD T
FORT MORGAN, CO 80701

LOPEZ, ELODIA BEATRIZ
18044 CO RD T
FORT MORGAN, CO 80701

CUESTAS, BIANCA
18001 CO RD T
FORT MORGAN, CO 80701

MARTINEZ, REFUGIO
18045 CO RD T
FORT MORGAN, CO 80701

ALDAMA, JOSE & FRANCISA
18057 CO RD T
FORT MORGAN, CO 80701

FONSECA, CLAYTON & GREGORY
18109 CO RD T
FORT MORGAN, CO 80701

ACHZIGER, JAMES D & PAMELA K
18133 CO RD T
FORT MORGAN, CO 80701

TECHNICAL

Right to Farm Policy

Application Fee Receipt

MORGAN COUNTY RIGHT TO FARM POLICY / NOTICE

Morgan County is one of the most productive agricultural counties in Colorado. Ranching, farming, animal feeding, and all other manner of agricultural activities and operations in Morgan County are integral and necessary elements of the continued vitality of the county's economy, culture, landscape and lifestyle. Morgan County specifically recognizes the importance of agricultural operations as necessary and worthy of recognition and protection.

Landowners, residents and visitors must be prepared to accept as normal the effects of agriculture and rural living. These may include noise from tractors, equipment, and aerial spraying sometimes at night or in the early morning; dust from animal pens, field work, harvesting, and gravel roads; odor from animal confinement operations, silage and manure; smoke from ditch burning; flies and mosquitoes; the use of pesticides and fertilizers, including aerial spraying; and movement of livestock or machinery on public roads. Under the provisions of the State of Colorado's "Right to Farm" law (Section 35-3.5-101 and following, C.R.S.), all normal and non-negligent agricultural operations may not be considered nuisances.

Also public services in a rural area are not at the same level as in an urban or suburban setting. Road maintenance may be at a lower level, mail delivery may not be as frequent, utility services may be nonexistent or subject to interruption, law enforcement, fire protection and ambulance service will have considerably longer response times, snow may not be removed from county roads for several days after a major snow storm. First priority for snow removal is that school bus routes are normally cleared first.

Children are exposed to different hazards in a rural setting than they are in an urban or suburban area. Farm and oilfield equipment, ponds, and irrigation ditches, electrical service to pumps and oil field operations, high speed traffic, noxious weeds, livestock, and territorial farm dogs may present real threats to children. It is necessary that children's activities be properly supervised for both the protection of the children and protection of the farmer's livelihood.

All rural residents and property owners are encouraged to learn about their rights and responsibilities and to act as good neighbors and citizens of Morgan County. This includes but is not limited to obligations under Colorado State law and Morgan County Zoning Regulations regarding maintenance of fences, controlling weeds, keeping livestock and pets under control. There may be provisions of which you are unaware. For example, because Colorado is a Fence Law State, owners of property may be required to fence livestock out.

Information regarding these topics may be obtained from the Colorado State University Cooperative Extension Office, the County Planning and Zoning Department, and the County Attorney.

RECEIPT AND STATEMENT OF UNDERSTANDING

I hereby certify that I have received, read, and understood the Morgan County Statement of Policy and Notice regarding Right to Farm.

I further state that I am aware that the conditions of living in an unincorporated area are different than living in a town or city and that the responsibilities of rural residents are different from urban or suburban residents. I understand that under Colorado law that a pre-existing, non-negligent agricultural operation may not be considered a public or private nuisance.

To Be Signed by Landowner

Signature Cary B. Kudron Date 6-14-22
Printed Name Cary B. Kudron
Address 7 Yates Ter
Ht. Morgan, CO 80701

Adopted by the Morgan County Board of County Commissioners by Resolution #96BCC41 on July 23, 1996 and amended by Resolution 2008 BCC 34 on September 2, 2008.

RECEIPT

Morgan County

231 Ensign, Fort Morgan, CO 80701

(970) 542-3526



RPL2022-0002 | Re-Plat Permit

Receipt Number: 543498

August 1, 2022

Payment Amount: \$550.00

Transaction Method	Payer	Cashier	Reference Number
Check	Kudron Construction	Jenafer Santos	7958

Comments

Assessed Fee Items

Fee items being paid by this payment

Date	Fee Item	Account Code	Assessed	Amount Paid	Balance Due
08/02/22	Replat of Subdivision - Full Review		\$550.00	\$550.00	\$0.00
Totals:			\$550.00	\$550.00	
Previous Payments					\$0.00
Remaining Balance Due					\$0.00

Permit Info

Property Address	Property Owner	Property Owner Address	Valuation
18216 CO RD T FORT MORGAN, CO 80701	KUDRON CONSTRUCTION LLC	7 YATES TERRACE FORT MORGAN, CO 80701- 9214	

Description of Work

Re Plat Application for potential selling of lots